IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY FOURTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 6164 of 2005

Between:

1 Katari Kotaiah S/o. Chinna Venkata Subbaiah
2 Velaga Rathamma W/o. Ramanaiah
3 Puli Suseela W/io. Sreenivasa Rao
4 Chella Subbalakshmi Devi, W/o. Balakaotaiah,
5 Katari Nageswari D/o. Katari Venkaiah,
6 Avula Chenchaiah S/o. Jalaiah,
7 Gurramsetti Ravanamma W/o. Hanumantha Rao
8 Kaka Ramanamma SW/o. Anjaiah
9 Bandaru Viswanadhula Venkata Subbaiah S/o. Adiseshu,
10 Nagarapu Nagalakshmi W/o. Appa Rao
11 Katari Sreenivasa rao S/o. Venkaiah,
12 Katari Nagalakshmi W/o. Tirumala Rao
13 PuliKoteswaramma W/o. Sanjeevu
14 Avulamanda Suseela W/o. Venkata Rao
15 Podili Venkata Padmavathi W/o,. Podili Sreenivasa Rao
16 Bapatla Seshamma W/o. Nageswara Rao
17 Nimmakayala Sambasiva Rao S/o. Ramulu
18 Vadlamudi Subba Rao S/o. Subbaiah
19 Shaik Beebijohn W/o. Sk. Peer Mohammad,
20 Palemkota Hymavathi W/o. Chalapathi Rao
21 Vaka Singaiah S/o. Veeraraghavulu
22 Marella Lakshmi Rajyam W/o. Ranga Rao
23 Podili Leelavathi W/o. Prasad,
24 Smt. Katari Rajani W/o. Kotaiah,
Residents of Gopalanagaram, Ongole Mandal, Prakasam District.

... PETITIONERS

AND

1 The District Collector, Ongole, Prakasam, District.

2 The Revenue Divisional Officer, Ongole, Prakasam, District.
3 The Mandal Revenue Officer, Ongole, Prakasam, District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ of Mandamus declaring the action of the respondents in not considering the representations of the petitioners dt. 15-3-2001, 16-9-2001, 10-5-2002, 17-7-2003, 10-2-2004 and 12-12-2004 for grant of assignment in the land in survey No. 64 of Ongole Revenue Mandal, Prakasam District as illegal, improper, unjust, arbitrary and further direct the respondents to consider the representation for grant of assignment of the land in survey No. 64 of Ongole Revenue Mandal in which the petitioners are in occupation for the last 30 years.

Counsel for the Petitioners: MR.K.G.KRISHNA MURTHY

Counsel for the Respondents: GP FOR REVENUE

The Court at the stage of admission made the following:

ORDER:

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This writ petition is filed aggrieved by the alleged inaction on the part of the respondents in considering the representations of the petitioners in which they requested for assignment of the lands situated in Sy.No.64 of Ongole Revenue Mandal in their favour.

The petitioners state that Sy.No.64 of Ongole Revenue Mandal is classified as Government Grazing Poramboke and that out of the said land they have been in possession and enjoyment of the land to an extent of Ac.11-47 cents for the past several years. It is claimed that in view of their possession they are entitled for assignment of the land in their favour and therefore they have been making representations from 2001 onwards requesting the respondents to assign the said land in their favour. It is alleged that while the said representations are kept pending, the respondents are taking steps to dispossess them. Hence, this writ petition.

Having heard the learned counsel for the petitioners, the learned Government Pleader for Revenue appearing for the respondents and keeping in view the plea of the petitioners that they have been in possession and enjoyment of the land in question for the past several years, I am of the view that till their representations seeking assignment in their favour are considered their possession is required to be protected.

Accordingly, the writ petition is disposed of with a direction to the respondents to consider the requests of the petitioners in their representations dated 15-3-2001, 16-9-2001, 10-5-2002, 17-7-2003, 10-2-2004 and 12-12-2004 and pass appropriate orders, in accordance with law, as expeditiously as possible preferably within a period of four weeks from the date of receipt of a copy of this order. Till such time, *status quo* obtaining as on today, as to the nature and possession of the land in question, shall be maintained.

The Writ Petition is accordingly disposed of. No order as to costs.

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G. ROHINI, J

Dated: 24-03-2005

LSK

ASSISTANT REGISTRAR

To

1 The District Collector, Ongole, Prakasam, District.
2 The Revenue Divisional Officer, Ongole, Prakasam, District.
3 The Mandal Revenue Officer, Ongole, Prakasam, District.

4 Two C.Cs. to the G.P. for Revenue, High Court Buildings, Hyderabad.
(OUT)

5 Two C.D. copies.